

## Section 405. Regulations for Signs

### 405.1 Purpose

This section is intended to provide a comprehensive system of signs and advertising displays consistent with traffic safety and with due regard to business opportunities, the environment of residential neighborhoods, community appearance and property values in all districts.

### 405.2 See Definitions in Section 302

### 405.3 Applicability

- A. A sign may be erected, placed, established, painted, created or maintained only in conformance with the standards, procedures, exemptions, and other requirements of this ordinance and all other applicable laws, ordinances, and regulations. Temporary and permanent signs requiring a permit shall comply with the permitting procedures established herein and shall be erected or installed only after issuance of such a permit and in accordance with such permit.
- B. Existing permanent signs legally erected prior to the effective date of this ordinance may remain in place and in use, subject to restrictions on modification, replacement and other actions. Certain temporary signs, including banners and portable signs, shall be subject to removal in accordance with this section.
- C. Any business sign or billboard legally existing prior to the effective date of this ordinance or which this section is a part and which does not conform to the provisions of this section shall not be altered or changed in overall dimension, except to conform to the provisions of this section. If damaged to an extent in excess of one-half of its current replacement value, it shall not be rebuilt, provided that nothing contained in this section shall be construed to prevent normal maintenance and repairs, repainting or posting of such signs or structures.
- D. Holders of permits for signs issued legally prior to the effective date of this ordinance may erect the permitted signs within the times allowed by such permits. Such permits may not be extended or amended unless the permitted sign will conform to all of the requirements of this section.

### 405.4 Exempt Signs

- A. Government and public utility signs when concerned with the safety, traffic regulations, giving directions, or legal notice requirements.
- B. Flags of any unit of government.
- C. Decorations, including light displays, in connection with generally recognized holidays, provided such decorations do not permit undue light within a residential district.
- D. Historical markers as recognized by Local, State, or Federal Authorities.
- E. Traffic control signs on private commercial or industrial property, such as stop, yield or similar signs, the faces of which meet the Mississippi

Department of Transportation standards and which contain no commercial message or art.

#### 405.5 Prohibited Signs

- A. Signs which by color, location, shape, or design resemble or conflict with traffic signals, or obstruct free and clear vision of traffic as defined in applicable accepted traffic safety standards.
- B. Signs displaying matter that is deemed vulgar, pornographic, or otherwise illegal.
- C. Any sign attached to a utility pole, to a road sign, to any public utilities structure or equipment, or placed on a public right-of-way.
- D. Portable signs, except permitted temporary signs under this Section.
- E. Flashing signs, except that a small portion of the total illumination may be intermittent for purposes of emphasis or giving the illusion of movement.
- F. Temporary signs located off premise or on a public highway, street or right-of-way, except as specifically permitted under this Section.
- G. Signs attached to, suspended from or painted on any vehicles which are regularly parked on any street or private property to display, demonstrate, advertise or attract the attention of the public.
- H. Signs used as a fence or any fence used as a sign.
- I. Windblown signs consisting of fluttering, spinning, windblown or inflatable device, including pennants, streamers, and propeller discs.
- J. Signs that are attached to or painted on a roof structure, panels, or walls constructed to screen rooftop mechanical equipment or a rooftop penthouse.
- K. Abandoned signs.
  - 1. The Building Official shall determine that the following signs have been abandoned:
    - a. Any sign that is located on property, which becomes vacant and is unoccupied for a period of six consecutive months or more. The Building Official shall serve notice of the abandonment at the end of the six months of such vacation.
    - b. Any sign relating to or identifying an activity or establishment that is not conducted or sited on the premises for a period of six (6) consecutive months or more. The Building Official shall serve notice of the abandonment at end of the six (6) months period of inactivity.
    - c. Any sign which pertains to a time specific event, the time of which has passed, shall be deemed to have been abandoned and subject to removal in the manner herein described. The Building Official shall serve notice of the abandonment upon observation of the inapplicable sign copy.
    - d. Any sign that fails to meet the code and maintenance requirements described herein shall be deemed to be abandoned and subject to removal if the deficiencies are not

corrected. The Building Official shall serve notice of the abandonment upon determining said deficiencies.

- e. A determination of abandonment shall include the sign's structure if the structure cannot be lawfully used or does not comply with the height, area or other physical requirements of this section.

2. Removal and Remediation.

- a. General: A sign shall be removed or its noted deficiencies remedied within thirty (30) days of written notice of abandonment to the property owner and/or tenant from the Building Official. The Building Official shall have the discretion to grant an additional thirty (30) days for the required removal or improvements to be made provided that substantial progress is being made toward removal or correcting the deficiencies and a written request for such an extension is received at least five (5) working days before the end of the initial thirty (30) day period.
- b. Should the responsible parties to whom the abandonment notice has been made fail to timely respond to said notice, the City may remove the sign and all costs thereof shall be charged to the owner, agent, or person having the beneficial interest in the building or premises upon which the sign is located or in the sign itself.
- c. Hazardous signs. Notwithstanding the above notice and remedial provisions, should the Building Official find that a sign's condition constitutes an imminent public hazard, the Building Official shall require the immediate removal of the sign. Should the responsible parties fail to comply, the City may remove the sign and all costs thereof shall be charged to the owner, agent, or person having the beneficial interest in the building or premises upon which the sign is located or in the sign itself.
- d. A sign which meets the height, area, or other physical requirements of this ordinance shall not be removed from its cabinet unless a new sign will replace that sign in the structure. An abandoned sign not replaced shall be left in its cabinet structure and shall be painted or otherwise masked using a solid uniform color covering the sign.

405.6 Signs Not Requiring a Permit

Pursuant to the specific requirements and limits for the zoning district in which a sign is to be sited, the following types of signs may be allowed without a permit.

- A. Nameplates not exceeding two (2) square feet in area and bearing only the name of the occupants on premises, address, or year of construction. A nameplate may be externally illuminated to an

- extent just sufficient to make out the information items shown if passing slowly along on the public way nearest the sign.
- B. Signs that are a permanent architectural feature of the structure.
  - C. Directional signs without commercial messages that guide persons on premises are allowed in all zoning districts, however the allowable sign areas and destinations vary by zoning district.
  - D. Vehicular Entrance and Exit signs are allowed in all zoning districts provided they do not exceed four (4) square feet in area.
  - E. Temporary signs including portable signs announcing non-commercial open to the public such as carnivals and festivals do not require a permit. Such signs are exempt from the requirements of being on the same property as the activity advertised, provided such signs are:
    - 1. Limited to one sign per parcel frontage;
    - 2. Placed only on property with the permission of the owner;
    - 3. Erected not more than thirty (30) days prior to the event advertised;
    - 4. Removed no later than three (3) days following the end of the event advertised.
  - F. Yard Sale Signs:
    - 1. One on-premise sign advertising a yard or garage sale is allowed per parcel, provided such signs are:
      - (a). Not greater than three (3) feet in area;
      - (b). Erected not more than seven (7) days prior to the event;
      - (c). Removed within two (2) days after the event.
    - 2. Lead-in (directional) off-premise yard sale signs are permitted from Friday noon to Monday noon.
  - G. Real Estate Signs. One sign to advertise the offering of a property for sale, rental or lease on each public way on which the property has frontage. The allowable size of the real estate sign varies according to the zoning district in which it is sited.
  - H. Construction Signs. One construction sign indicating the parties involved in the project such as contractors, financial interests, engineers, and the potential occupant(s). The allowable sign area of a construction sign varies according to the zoning district in which it is sited. A construction sign may be displayed as long as the construction is actively underway. If no significant construction activity is evident at a signed construction site for a period of sixty (60) days or more, the Building Official will notify the owner to remove the sign within sixty (60) days, and after that time the Building Official may remove the sign and assess the owner of the property for the removal expenses incurred by the City.
  - I. Political Signs. Non-illuminated political signs not to exceed a total of thirty-two (32) square feet of total sign area per one hundred (100) feet of street frontage are allowed in all zoning districts. Such

signs shall not be erected more than sixty (60) days prior to the election or referendum concerned and shall be removed within ten (10) days following such election or referendum. Political signs may be placed only on private property and only with the permission of the property owner.

- J. Window signs up to two (2) square feet and not internally illuminated are allowed in all zoning districts.
- K. Menu Board Signs. Where a drive through food service establishment is a permitted use or approved as a conditional use, the establishment may display one back to back menu sign not exceeding thirty-two (32) square feet in area, provided that the sign is not readily visible from the public way.
- L. Gas Price Signs. Where retail fuel sales are permitted, or approved as a conditional use, a fuel retailer may display one back to back Fuel Price Sign not exceeding thirty-two (32) square feet in area.

#### 405.7 Sign Permit Required.

- A. Except as provided in this section, no sign may be erected or displayed within view of a public street or way unless the Building Official has issued a permit pursuant to this section.
- B. On-Premise Signs Permitting. Applications to the Building Official for a sign permit shall put forth in writing and illustrations all of the following information:
  - 1. The name, address and phone number of the applicant, the name of the property owner, and the property location.
  - 2. For all signs subject to permit, the overall height (or position on a building), shape, dimensions, area, materials, method of support or attachment, lighting, location of the property, and planned date of erection.
  - 3. A drawing to scale of the sign, clearly showing internally lighted or moving, or both, components. When the sign is an attached type, the building façade will be shown in the drawing or in an accompanying photograph.
  - 4. The location, dimensions, and height (or position on a building) of existing signs displayed by the same interest of activity.
  - 5. A site plan drawn to scale, showing the location of the proposed sign, and all other signs displayed by the same interest or activity.
  - 6. Whether the sign is within the area and height limits for the applicable category of activity as required.
- C. Off-Premise Advertising Sign Application. In addition to the information noted in Subsection B, applications for off-premise advertising signs shall contain the following information:
  - 1. The name of the person, firm, corporation, or business that will be erecting the sign.

2. A statement that evidence of the required liability insurance is on file with the Building Official.
  3. Proof of approval from the Mississippi Department of Transportation to erect the sign.
  4. Proof that the applicant is legal owner of the property where the sign is to be erected, or a copy of a valid lease from the legal owner of the property permitting the applicant to erect and maintain the sign.
  5. The fee for a permit application will be proportional to the value of the sign, using the same schedule as applies to building permits for commercial construction at the time of the application.
  6. Applications for a permit to erect a sign made by an individual or corporation, who has previously erected a sign deemed to be in noncompliance with the provisions of this ordinance shall not be considered until the deficiencies cited with the previous sign are remedied.
- D. Actions of the Building Official in response to an application to permit a sign:
1. The Building Official will determine if the information submitted pursuant to Section 405.7B and 405.7C is complete, and if the proposed sign complies with all requirements and standards of this ordinance. If the sign does not conform to said requirements and standards, the Building Official will advise the applicant as to how to bring the proposed sign into conformity therewith.
  2. The Building Official will, after studying the application, act to approve, approve with modifications, or disapprove. If the action is disapproval, the applicant will be advised of the reasons and procedures for application for hearing by the Board of Mayor and Aldermen.

#### 405.8 General Sign Requirements and Standards.

- A. No portion of any sign shall be located within the public right-of-way (ROW). This includes all above ground and below ground supports, frames, and embellishments or any portion of a sign, attached to, affixed to, or painted on a utility pole, light standard, utility box or any pedestal, tree, rock or natural object located within the public right-of-way.
- B. No sign shall be located in a manner which creates a traffic hazard.
- C. No sign shall be located in such a manner to impair ingress and egress through windows, doors or other means of entering or exiting from a structure or building.
- D. All signs shall be installed and maintained in compliance with the applicable provisions of the building code and the electrical code of the City of Waveland and the requirements of the Mississippi Department of Transportation.
- E. All signs and their immediate environs shall be maintained in good condition and appearance. Signs shall remain clean, understandable to

viewers, and clear of all markings, or postings not part of the permitted sign.

F. Illuminated Signs.

1. Illuminated Signs shall not have blinking, flashing or other illuminating devices which change light intensity, brightness or color. Beacon lights are not permitted. Automatic changing signs displaying time, temperature, date or electronically controlled message centers are permitted subject to the requirements herein.
2. The light for or from any illuminated sign shall be so shaded, shielded or directed that the light intensity will not be objectionable to surrounding areas.
3. No colored lights shall be used on any sign at any location in any manner so as to be confused with or construed as traffic control devices.
4. Neither direct nor reflected light from a primary light source shall create a traffic hazard to operators of motor vehicles on public thoroughfares.

G. Electronic reader boards shall constitute no more than thirty (30) percent of a sign surface area and shall present messages in fonts other than dot matrix patterns and shall be integrated into the overall sign design. Messages shall not change in less than sixty (60) second intervals.

H. General Sign Measurement Rules.

1. As a general rule the area of a sign shall be determined as the area of the smallest rectangle or sum of contiguous rectangles which completely encompass the sign message, including letters, words and graphic elements. This method of measurement shall also apply to word and graphics elements painted onto windows, awnings and canopies.
2. The height of a freestanding sign shall be measured from the highway or street grade to which the sign is oriented or to the average grade of the site on which the sign is located to the top of the sign or any appurtenance extending above same. Any change in the site's grade specifically to increase the sign's height shall be included in measuring the sign's height.
3. The area of internally illuminated signs and signs consisting of a permanent structure with panels designed to be removed and/or replaced for periodic maintenance or change of tenant(s) shall be computed as the smallest rectangle that will encompass the extreme limits of the illuminated or changeable panels and framing structure less than three (3) inches wide, regardless of sign space or whether or not open space exist. Any cut outs or extensions shall be included in considering the total area in the case of separate signs sharing a common structure however, the open spaces between the panels shall not count as sign area.
4. Only the area of one face of signage with two faces shall be considered in determining the area of a two-faced sign, provided

the two faces are joined at an angle of not more than ninety (90) degrees. Fifty (50) percent of the area each face with three (3) or more faces shall be considered in determining the area of a sign with three (3) or more faces.

5. The face and frame of a sign that includes the name of individual occupants and provides an area for changeable or electronic copy shall count toward the total area of the sign for signs of multi-occupant, changeable copy or electronic signs.
6. The signable area of the wall sign of a building is that area which is free of architectural details on the façade of the building or part of the building in which the activity associated with the sign is located.
7. In certain zoning districts the allowable wall sign area is determined as a percentage of the total signable area based on the use of the structure to which it is applied or attached.
8. A sign consisting of irregular, non-rectangular shapes shall be allowed to exceed its area requirements by thirty (30) percent where thirty (30) percent or more of the sign's area consists of open space and/or cutouts.
9. The single largest face of back to back and "V" signs will be used to determine permitted sign area for off-premise signs, provided the two sign faces intersect at an angle of ninety (90) degrees or less.

#### 405.9 Specific Requirements for Temporary Signs.

- A. The display of temporary signs other than banners, which announce commercial events or activities are to be permitted pursuant to the following requirements:
  1. Each sign and each display period therefor requires a permit.
  2. No person, firm, entity, business, or corporation shall be entitled to more than two (2) temporary sign permits per calendar year.
  3. A temporary sign must be on the premises of the activity or event noted on the sign.
  4. A temporary sign may be displayed for up to thirty (30) days following the start date stated in the permit or until the event or activity noted on the sign ceases, whichever shall occur first.
  5. A temporary sign may be portable provided it is solely displayed on the premises for which the permit was issued.
  6. Light or audio displays may be permitted as temporary signs if the Building Official determines that the instance will not allow an undue presence of light or sound in any residential area.
- B. In addition to the above display of temporary signs, banners are to be permitted pursuant to the following requirements:
  1. For each commercial activity banners are allowable for a total of one (1) period of two (2) weeks in duration per quarter for each year, however no two (2) periods may be consecutive.
  2. Banners must be on the premises of the activity or event noted on the sign.



3. An individual banner or group of banners simultaneously displayed on a parcel shall not exceed twenty-five (25) square feet in total area.
4. Banners shall not be located within twenty (20) feet of any street. If such a setback is not possible because of the proximity of the business property to the street, the Building Official may approve a lesser setback provided that the public safety is not compromised.
5. The permit fee for a banner shall be \$15.00 per application until modified by Resolution of the Board of Mayor and Aldermen.

#### 405.10 Specific Requirements for Permanent Signs.

##### A. Awning, Canopy and Window Signs

1. The copy area of an awning, canopy or permanent window sign shall not exceed thirty (30) percent of the awning, canopy or window pane, section or door or grouping of such.
2. Awning and canopy signs shall not be illuminated.

##### B. Projecting Signs.

1. A projecting sign shall not extend horizontally more than four (4) feet beyond the surface to which the sign is attached.
2. Where public sidewalks exist, projecting signs may extend over the public right-of-way by up to four (4) feet beyond the right-of-way line, provided there is a clearance of nine (9) feet above the sidewalk surface.
3. No permit shall be issued for any sign overhanging the public right-of-way in accordance with this ordinance unless the applicant posts a bond, or public liability insurance, in the amount of ten thousand (10,000) dollars per person, twenty thousand (20,000) dollars for any accident, and five thousand (5,000) dollars for property damage. Such bond or liability insurance shall remain in force at all times while such signs overhangs the public right-of-way.
4. A projecting sign shall not extend above the height of the surface of a flat roof, the mid-point of a sloping roof, or the top of a parapet wall.
5. A projecting sign shall remain nine (9) feet above the surface of any sidewalk or pedestrian way.
6. A projecting sign shall be attached at least six (6) inches but not more than twelve (12) inches from the building.
7. A projecting sign must be attached at right angles to the building façade.
8. A projecting sign may be suspended from an eave, balcony or gallery provided the width thereof is equal to, or greater than, the width of the sign.
9. If the projecting sign contains written information other than the name of the activity, it must be placed fifty (50) feet or more from other projecting signs on the same way.

##### C. Wall Signs.

1. Wall signs may be up to twelve (12) inches from wall and should be designed not to interrupt architectural details.
2. A wall sign shall have a rigid backing material at least  $\frac{1}{4}$  inch thick.
3. A wall sign of boxed graphic or individual letters designed to be placed over one window and under another should be limited in height to two-thirds ( $\frac{2}{3}$ ) of the distance between the windows.
4. A wall sign displayed by an activity of one story should not extend above the window sill of the story above or below the top of the window of a story below.

D. Off-Premise Outdoor Advertising Signs.

The following requirements for off-premise outdoor advertising signs shall be subject to any additional limitations that may be imposed by the Mississippi Department of Transportation.

1. The distance (measured horizontally) from the highway right-of-way to the nearest point of the sign shall be at least twenty (20) feet but not greater than sixty (60) feet.
2. The permitted sign area shall be one-hundred and twenty (120) to four-hundred (400) square feet.
3. No outdoor advertising sign may be erected within less than one-thousand (1,000) square feet from any other outdoor advertising sign on the same side of the highway. Said distance is to be measured on a line parallel to the highway.
4. Single side, back to back, and "V" structures which include an angle of up to forty-five (45) degrees are permitted. The single largest face of back to back and "V" signs will be used to determine permitted sign area.
5. Stacked signs shall not be permitted.
6. No point of an outdoor advertising sign structure shall be more than forty (40) feet above the roadbed of the highway, nor shall the bottom of the sign portion be less than twenty (20) feet above the roadbed; both measurements relative to the highway roadbed nearest to the sign.
7. Construction Requirements:
  - a. Only mono-pole type outdoor advertising signs shall be permitted.
  - b. The Building Official at his or her discretion may require that a registered Professional Engineer certify that the sign proposed to be constructed complies with all applicable codes.
  - c. No person or corporation shall engage in the business of outdoor advertising within the City of Waveland unless such person files and maintains with the City Building Official evidence of liability insurance in the amount of \$100,000 for property damage, \$250,000 for personal injury to any one person, and \$500,000 for personal injury growing out of one occurrence. Such insurance

policy shall be written to hold the city and its officials and employees harmless from any and all losses, damages, liabilities, and judgments resulting by reason of the erection or maintenance of any outdoor advertising sign.

8. Illumination of any outdoor advertising sign within one-hundred (100) feet of a residential area shall be diffused and indirect as seen from the residential area, and designed to the greatest practical extent to avoid any light entering the residential area.
9. In no case shall intermittent illumination be permitted when the sign is visible from a dwelling in a residential area

#### 405.11 Signs in the R-1, R-2, M-1 and R-3 Zoning Districts

A. Signs allowed without a permit include:

1. Nameplates
2. Signs that are a permanent architectural feature of a structure.
3. Customary signs in conjunction with residential usage, such as mailbox signs, names of residents and house numbers.
4. A non-illuminated sign, not more than five (5) inches by eighteen (18) inches attached to the mailbox, may be displayed for home occupations.
5. Directional signs not exceeding four square feet and not containing a commercial message or logo. Directional signs are limited to providing notice of parking/no parking zones, telephones, rest rooms and entrances and exits to the site and structures thereon.
6. One sign to advertise the offering of a property for sale, rental or lease on each public way on which the property has frontage. Such signs will be limited to an area of four (4) square feet and not be illuminated.
7. One construction sign indicating the parties involved in the project such as contractors, financial interests, engineers, and the potential occupant(s). A construction sign may be displayed as long as the construction is actively underway and shall be removed when construction ends or ceases for more than sixty (60) days. Such signs may be up to nine (9) square feet and may not be illuminated.
8. Window signs up to two (2) square feet and not internally illuminated.
9. Non-illuminated political signs not to exceed a total of thirty-two (32) square feet of total sign area per one hundred (100) feet of street frontage are allowed in all zoning districts. Such signs shall not be erected more than sixty (60) days prior to the election or referendum concerned and shall be removed within ten (10) days following such election or referendum. Political signs may be placed only on private property and only with the permission of the property owner.
10. Yard Sale signs.

B. Signs requiring a permit include:

1. Residential Development signs. A subdivision of five (5) lots or more or a multi-family complex of five (5) dwelling units or more shall be allowed one freestanding identification sign for each vehicular entrance to the development. Each sign shall be limited to four (4) feet in height and an area of not more than twelve (12) square feet. The area around the sign must be landscaped.
2. Churches, clubs, schools, and child care centers.
  - a. For each frontage on a public street the activity shall be permitted, alone or in combination thereof, one (1) freestanding sign if space permits, and one (1) projecting sign, one (1) wall sign and one (1) awning or canopy sign with a total area of three (3) square feet for each ten (10) feet of frontage on a public street.
  - b. Freestanding and attached signs shall be permitted within the applicable parcel lines provided the signs shall bear only the name, address, and services rendered by the specific permitted use located on the site.
  - c. Freestanding signs shall be limited to an area of not more than sixteen (16) square feet.
  - d. Freestanding signs shall be set back at least four (4) feet from the street right-of-way and its height may not exceed the distance of the setback or eight (8) feet, whichever is lesser.
  - e. Projecting signs shall have two back to back faces and shall not exceed sixteen (16) square feet in area.
3. Signs specifically prohibited include;
  - a. Off-Premise Outdoor Advertising Signs
  - b. Electronic Message Boards

#### 405.12 Signs in the Coleman Limited (CO-1) Zoning District

- A. All signs listed in Subsection 405.11.A are allowed without a permit.
- B. Signs requiring a permit include:
  1. For each frontage on a public street a business shall be permitted, alone or in combination thereof, one (1) freestanding sign if space permits, and one (1) projecting sign, one (1) wall sign and one (1) awning or canopy sign with a total area of four (4) square feet for each ten (10) feet of frontage on a public street.
  2. All signs shall be permitted within the applicable parcel lines provided that:
    - a. The signs shall bear only the name, address, and services rendered by the specific permitted use located on the site.
    - b. Professional offices and personal services shall be permitted one sign not to exceed six (6) square feet in the vicinity of each establishment.
    - c. Freestanding signs shall be limited to an area of not more than twenty (20) square feet for a single occupant. For

directory signs identifying multiple occupants, the allowable square footage may be increased 10% for each additional occupant listed for a maximum of five (5) additional occupants.

- d. Freestanding signs shall be set back at least four (4) feet from the street right-of-way and its height may not exceed the distance of the setback or eight (8) feet, whichever is lesser.
  - e. In special, unique circumstances where a business activity's principle entrance fronts on an off-street parking area or pedestrian walkway and at least twenty (20) feet of space exists between the entrance and the parking or walkway, the Building Official may approve a freestanding individual activity sign pursuant to the requirements of this section.
  - f. The area beneath and around a ground sign shall be landscaped with plants, ground cover and materials so as to complement the site and integrate the sign with buildings, parking area, surrounding vegetation and natural features of the landscape.
  - g. Projecting signs shall have two back to back faces and shall not exceed twenty (20) square feet in area.
3. Signs specifically prohibited include;
- a. Off-Premise Outdoor Advertising Signs
  - b. Electronic Message Boards

**405.13 Signs in the Coleman Open (CO-2) and Neighborhood Commercial (C-1) Zoning District**

- A. Signs allowed without a permit include:
- 1. All signs listed in Subsection 405.11.A.
  - 2. In addition to the Directional signs allowed in Subsection 405.12, non-commercial directional signs may provide directions to Automated Teller Machines (ATMs), vending machines and provide such other non-commercial information useful to persons likely to be on the premises.
  - 3. One sign to advertise the offering of a property for sale, rental or lease on each public way on which the property has frontage. Such signs will be limited to an area of sixteen (16) square feet and may be illuminated.
  - 4. One construction sign indicating the parties involved in the project such as contractors, financial interests, engineers, and the potential occupant(s). A construction sign may be displayed as long as the construction is actively underway and shall be removed when construction ends or ceases for more than sixty (60) days. Such signs may be up to sixteen (16) square feet and may not be illuminated.
- B. Signs requiring a permit include:

1. Signs permitted in the CO-1 zoning district.
  2. For each frontage on a public street a business shall be permitted, alone or in combination thereof, one (1) freestanding sign if space permits, and one (1) projecting sign, one (1) wall sign and one (1) awning or canopy sign with a total area of six (6) square feet for each ten (10) feet of frontage on a public street.
  3. The signs shall bear only the name, address, and services rendered by the specific permitted uses located on the site.
  4. Professional offices and personal services shall be permitted one sign not to exceed six (6) square feet in the vicinity of each establishment.
  5. A freestanding sign that shall be limited to an area of not more than twenty-four (24) square feet for a single occupant.
  6. For directory signs identifying multiple occupants, the allowable square footage may be increased 10% for each additional occupant listed for a maximum increase of fifty (50) percent.
  7. Freestanding signs shall be set back at least four (4) feet from the street right-of-way and its height may not exceed the distance of the setback or ten (10) feet, whichever is lesser.
  8. In special unique circumstances where a business activity's principle entrance fronts on an off-street parking area or pedestrian walkway and at least twenty (20) feet of space exists between the entrance and the parking or walkway, the Building Official may approve a freestanding individual activity sign pursuant to the requirements of this section.
  9. The area beneath and around a ground sign shall be landscaped with plants, ground cover and materials so as to complement the site and integrate the sign with buildings, parking area, surrounding vegetation and natural features of the landscape.
  10. Projecting signs shall have two back to back faces and shall not exceed twenty-four (24) square feet in area
- C. Signs specifically prohibited include;
1. Off-Premise Outdoor Advertising Signs
  2. Electronic Message Boards

**405.14 Signs in the Highway Commercial (C-3) and Industrial (I-1, I-2, and I-3) Zoning Districts**

- A. Signs allowed without a permit include:
1. All signs listed in 405.11.A.
  2. One sign to advertise the offering of a property for sale, rental or lease on each public way on which the property has frontage. Such signs shall be limited in area as follows:
    - a. In the C-3 Zoning District to an area of twenty-four (24) square feet and the sign may be illuminated.
    - b. In the Industrial zoning districts to an area of thirty-six (36) square feet and the sign may be illuminated.

3. One construction sign indicating the parties involved in the project such as contractors, financial interests, engineers, and the potential occupant(s). A construction sign may be displayed as long as the construction is actively underway and shall be removed when construction ends or ceases for more than sixty (60) days. Such signs shall be limited in area as follows:
    - a. In the C-3 Zoning District to an area of twenty-four (24) square feet and the sign may be illuminated.
    - b. In the Industrial zoning districts to an area of thirty-six (36) square feet and the sign may be illuminated.
  4. Menu Boards. Where a drive through food service establishment is a permitted use or approved as a conditional use, the establishment may display, one back to back menu sign not exceeding thirty-two (32) square feet in area, which shall be designed and located to be viewed exclusively by patrons of the establishment and not plainly visible from off-site.
  5. Gas Price Signs. Where retail fuel sales are permitted, or approved as a conditional use, a fuel retailer may display one back to back Gas Price Sign not exceeding thirty-two (32) square feet in area.
- B. On-Premise signs requiring a permit include:
1. Professional offices and personal services shall be permitted one sign not to exceed twelve (12) square feet in the vicinity of each establishment.
  2. The allowable area for freestanding signs and the allowable area for attached signs shall be separately calculated for a development and the activities therein as set forth below.
  3. Freestanding sign area formula for each street frontage:
    - a. The area of a freestanding sign for any activity shall not exceed three (3) square feet for each ten (10) feet of street frontage. When an activity has frontage exceeding one hundred (100) feet, its freestanding sign may exceed thirty (30) square feet by one (1) square foot for every linear foot of frontage over one hundred (100) feet.
    - b. A directory sign listing multiple occupants of a development may contain the name and logo of the development, plus each occupant thereof and the total area of the sign may be increased by ten (10) percent of the allowable area for each occupant up to a fifty (50) percent increase.
  4. Attached sign area formula. The total allowable area for awning and canopy, projecting and wall signs attached, or applied, to a structure for each frontage on a street, parking area, or walkway of an establishment shall be based on the maximum allowable area for a wall sign, which is calculated as follows:
    - a. The aggregate signable area of the wall of a building will be determined by measuring the area which is free of architectural details on the frontage façade of the building or

on that part of the building in which the activity associated with the sign is located.

- b. After determining the aggregate signable area, the maximum allowable area of a wall sign displayed toward one street, parking lot, or walkway on which it has frontage shall be calculated as a percentage thereof based on the building or activity's classification with the following percentages to be applied.

Industrial	30%
Commercial	40%
5. Freestanding signs may be either:
  - a. Identification signs that identify a single business or a single development such as campus, shopping center or office or industrial park with the name, address, and logo of the entity
  - b. Directory signs that identify the development and individual occupants of the development.
6. Freestanding signs shall be separated by one hundred (100) feet or more along a street.
7. A development with at least three hundred (300) feet of frontage on a street wherein the principle structure is set back at least seventy-five (75) feet from the street right-of-way may, in addition to the freestanding signs otherwise allowed, erect one (1) freestanding identification sign of up to three hundred (300) square feet in area and sixty (60) feet in height.
8. Other than the sign allowed in Subsection 405.14.B.7 above, no single freestanding sign shall exceed one hundred fifty (150) square feet in total area.
9. The presence of a freestanding identification or directory sign shall not affect the signage area allowed for the attached signs of any activity or occupant within the development.
10. In special circumstances where a business activity's principle entrance fronts on an off-street parking area or pedestrian walkway and at least twenty (20) feet of space exists between the entrance and the parking or walkway, the Building Official may approve a freestanding individual activity sign pursuant to the requirements of this section.
11. Freestanding signs in the C-3 zoning district that front US Highway 90 and MS Highway 603 shall not exceed twenty (20) feet in height. Elsewhere signs in the zoning district shall not exceed twelve (12) feet in height.
12. The area beneath and around a ground sign shall be landscaped with plants, ground cover and materials so as to complement the site and integrate the sign with buildings, parking area, surrounding vegetation and natural features of the landscape.
13. Projecting signs may be multi-faced and shall be separated by fifty (50) feet or more along the same right-of-way or pathway.



- C. Off-Premise Outdoor Advertising Signs are permitted along the frontage of US Highway 90 and MS Highway 603 provided they fully comply with the standard and regulations cited above in Subsections 405.7.C and 405.10.D.

405.15 Signs in the Special Use District

- A. Signage in the special use district shall conform to a comprehensive signage plan specifically developed for the district and approved by the Board of Mayor and Aldermen upon the recommendation of the Planning and Zoning Commission.
- B. Applications for a Special Use District shall set forth a comprehensive sign plan for the district which shall address the near-term and long-term signage applications for the proposed district.

Section 406. Fences, Wall and Hedges

Notwithstanding other provisions of this Zoning Ordinance, fences, walls and hedges may be permitted in any required yard or along any yard, subject to the following restrictions:

- 406.1 Said fence in the rear and side yard may be of solid construction or may be open to light and air, including steel mesh, chain link, louvered, stake or similar materials.
- 406.2. Fences may be constructed on corner lots; however, no such fence, whether solid or otherwise, constructed in such a manner that the view of the drivers on the adjacent thoroughfare or thoroughfares shall be obstructed (see Section 715).
- 406.3 No fence shall exceed six (6) feet in height measured from the finished grade of the lot or property upon which the fence is being erected except as otherwise provided in this article.
- 406.4 A six (6) foot opaque/privacy fence may stop, or commence to slope down to a height of three (3) feet, either at a point even with the front plane of the main or the forward most building or at a point twenty-five (25) feet from the front property line, whichever is the shorter distance.
- 406.5 Fence materials permitted are wood, wrought iron, stone and masonry. Vinyl or fiberglass composite material may be utilized if the material is designed and constructed for fencing material. No fence shall be constructed of or contain canvas, cloth, or other impermanent material, corrugated metal, metal plates, plastic or plexi-glass.
- 406.6 In R-1 and R-2 Districts, barbed wire fences are prohibited.